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## BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

WILLIAM A. MUNDELL  
CHAIRMAN

DOCKETED

JIM IRVIN  
COMMISSIONER

MAR 18 2002

MARC SPITZER  
COMMISSIONER

DOCKETED BY

*nae*

IN THE MATTER OF THE APPLICATION OF  
THE ARIZONA ELECTRIC DIVISION OF  
CITIZENS COMMUNICATIONS COMPANY TO  
CHANGE THE CURRENT PURCHASED  
POWER AND FUEL ADJUSTMENT CLAUSE  
RATE, TO ESTABLISH A NEW PURCHASED  
POWER AND FUEL ADJUSTMENT CLAUSE  
BANK, AND TO REQUEST APPROVED  
GUIDELINES FOR THE RECOVERY OF COSTS  
INCURRED IN CONNECTION WITH ENERGY  
RISK MANAGEMENT INITIATIVES.

DOCKET NO. E-01032C-00-0751

**CITIZENS' OPPOSITION TO THE  
MAGRUDER MOTION TO RECLUSE  
(sic)**

Citizens opposes the Motion to "Recluse," which it takes to be a Motion to  
recuse.\* The motion is not well taken for a variety of reasons.

This law firm has not represented Citizens in any of its contractual disputes or  
negotiations with Pinnacle West or APS. As the record in this matter indicates, Citizens has  
been represented by the law firm of Wright & Talisman, P.C. and others in those matters.

Because of Mr. Gallagher's position on the Pinnacle West Board of Directors,  
firm policy does not allow him to be involved in any matters concerning or affecting that  
company or its affiliates. None of the issues involved in this PPFAC proceeding have been  
discussed with him. Finally, the matters raised in and relief requested by the motion are beyond  
the jurisdiction of the Commission to consider or grant.

\* If instead Mr. Magruder intends counsel to seek some solitude, counsel does plan to take a few days off once this  
matter is concluded.

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In light of the foregoing, Citizens requests that the motion be denied.

RESPECTFULLY submitted this 18th day of March, 2002.

GALLAGHER & KENNEDY, P.A.

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Company

**Original** and ten copies filed this  
18th of March, 2002, with:

Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

**COPY** of the foregoing hand-delivered  
this 18th of February, 2002 to:

Lyn Farmer  
Chief Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
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**COPIES** of the foregoing mailed this  
18th of March, 2002, to:

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